

110TH CONGRESS
1ST SESSION

H. R. 2642

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for
3 military construction, the Department of Veterans Affairs,
4 and related agencies for the fiscal year ending September
5 30, 2008, and for other purposes, namely:

6 TITLE I

7 DEPARTMENT OF DEFENSE

8 MILITARY CONSTRUCTION, ARMY

9 For acquisition, construction, installation, and equip-
10 ment of temporary or permanent public works, military
11 installations, facilities, and real property for the Army as
12 currently authorized by law, including personnel in the
13 Army Corps of Engineers and other personal services nec-
14 essary for the purposes of this appropriation, and for con-
15 struction and operation of facilities in support of the func-
16 tions of the Commander in Chief, \$4,070,959,000, to re-
17 main available until September 30, 2012: *Provided*, That
18 of this amount, not to exceed \$481,468,000 shall be avail-
19 able for study, planning, design, architect and engineer
20 services, and host nation support, as authorized by law,
21 unless the Secretary of Defense determines that additional
22 obligations are necessary for such purposes and notifies
23 the Committees on Appropriations of both Houses of Con-
24 gress of the determination and the reasons therefor.

1 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
2 (INCLUDING RESCISSION OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, naval in-
5 stallations, facilities, and real property for the Navy and
6 Marine Corps as currently authorized by law, including
7 personnel in the Naval Facilities Engineering Command
8 and other personal services necessary for the purposes of
9 this appropriation, \$2,125,138,000, to remain available
10 until September 30, 2012: *Provided*, That of this amount,
11 not to exceed \$110,167,000 shall be available for study,
12 planning, design, and architect and engineer services, as
13 authorized by law, unless the Secretary of Defense deter-
14 mines that additional obligations are necessary for such
15 purposes and notifies the Committees on Appropriations
16 of both Houses of Congress of the determination and the
17 reasons therefor: *Provided further*, That of the funds ap-
18 propriated for “Military Construction, Navy and Marine
19 Corps” under Public Law 108–132, \$5,862,000 are here-
20 by rescinded.

21 MILITARY CONSTRUCTION, AIR FORCE
22 (INCLUDING RESCISSION OF FUNDS)

23 For acquisition, construction, installation, and equip-
24 ment of temporary or permanent public works, military
25 installations, facilities, and real property for the Air Force

1 as currently authorized by law, \$927,428,000, to remain
2 available until September 30, 2012: *Provided*, That of this
3 amount, not to exceed \$51,587,000 shall be available for
4 study, planning, design, and architect and engineer serv-
5 ices, as authorized by law, unless the Secretary of Defense
6 determines that additional obligations are necessary for
7 such purposes and notifies the Committees on Appropria-
8 tions of both Houses of Congress of the determination and
9 the reasons therefor: *Provided further*, That of the funds
10 appropriated for “Military Construction, Air Force” under
11 Public Law 108–324, \$5,319,000 are hereby rescinded.

12 MILITARY CONSTRUCTION, DEFENSE-WIDE

13 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

14 For acquisition, construction, installation, and equip-
15 ment of temporary or permanent public works, installa-
16 tions, facilities, and real property for activities and agen-
17 cies of the Department of Defense (other than the military
18 departments), as currently authorized by law,
19 \$1,806,928,000, to remain available until September 30,
20 2012: *Provided*, That such amounts of this appropriation
21 as may be determined by the Secretary of Defense may
22 be transferred to such appropriations of the Department
23 of Defense available for military construction or family
24 housing as the Secretary may designate, to be merged with
25 and to be available for the same purposes, and for the

1 same time period, as the appropriation or fund to which
2 transferred: *Provided further*, That of the amount appro-
3 priated, not to exceed \$154,728,000 shall be available for
4 study, planning, design, and architect and engineer serv-
5 ices, as authorized by law, unless the Secretary of Defense
6 determines that additional obligations are necessary for
7 such purposes and notifies the Committees on Appropria-
8 tions of both Houses of Congress of the determination and
9 the reasons therefor: *Provided further*, That of the funds
10 appropriated for “Military Construction, Defense-Wide”
11 under Public Law 110–5, \$7,592,000 are hereby re-
12 scinded.

13 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

14 For construction, acquisition, expansion, rehabilita-
15 tion, and conversion of facilities for the training and ad-
16 ministration of the Army National Guard, and contribu-
17 tions therefor, as authorized by chapter 1803 of title 10,
18 United States Code, and Military Construction Authoriza-
19 tion Acts, \$439,291,000, to remain available until Sep-
20 tember 30, 2012.

21 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

22 For construction, acquisition, expansion, rehabilita-
23 tion, and conversion of facilities for the training and ad-
24 ministration of the Air National Guard, and contributions
25 therefor, as authorized by chapter 1803 of title 10, United

1 States Code, and Military Construction Authorization
2 Acts, \$95,517,000, to remain available until September
3 30, 2012.

4 MILITARY CONSTRUCTION, ARMY RESERVE

5 For construction, acquisition, expansion, rehabilita-
6 tion, and conversion of facilities for the training and ad-
7 ministration of the Army Reserve as authorized by chapter
8 1803 of title 10, United States Code, and Military Con-
9 struction Authorization Acts, \$154,684,000, to remain
10 available until September 30, 2012.

11 MILITARY CONSTRUCTION, NAVY RESERVE

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the reserve components of the Navy and
15 Marine Corps as authorized by chapter 1803 of title 10,
16 United States Code, and Military Construction Authoriza-
17 tion Acts, \$69,150,000, to remain available until Sep-
18 tember 30, 2012.

19 MILITARY CONSTRUCTION, AIR FORCE RESERVE

20 (INCLUDING RESCISSION OF FUNDS)

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the Air Force Reserve as authorized by
24 chapter 1803 of title 10, United States Code, and Military
25 Construction Authorization Acts, \$39,628,000, to remain

1 available until September 30, 2012: *Provided*, That of the
2 funds appropriated for “Military Construction, Air Force
3 Reserve” under Public Law 109–114, \$3,069,000 are
4 hereby rescinded.

5 NORTH ATLANTIC TREATY ORGANIZATION

6 SECURITY INVESTMENT PROGRAM

7 For the United States share of the cost of the North
8 Atlantic Treaty Organization Security Investment Pro-
9 gram for the acquisition and construction of military fa-
10 cilities and installations (including international military
11 headquarters) and for related expenses for the collective
12 defense of the North Atlantic Treaty Area as authorized
13 by section 2806 of title 10, United States Code, and Mili-
14 tary Construction Authorization Acts, \$201,400,000, to
15 remain available until expended.

16 FAMILY HOUSING CONSTRUCTION, ARMY

17 For expenses of family housing for the Army for con-
18 struction, including acquisition, replacement, addition, ex-
19 pansion, extension, and alteration, as authorized by law,
20 \$419,400,000, to remain available until September 30,
21 2012.

22 FAMILY HOUSING OPERATION AND MAINTENANCE,

23 ARMY

24 For expenses of family housing for the Army for op-
25 eration and maintenance, including debt payment, leasing,

1 minor construction, principal and interest charges, and in-
2 surance premiums, as authorized by law, \$742,920,000.

3 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
4 CORPS

5 For expenses of family housing for the Navy and Ma-
6 rine Corps for construction, including acquisition, replace-
7 ment, addition, expansion, extension, and alteration, as
8 authorized by law, \$298,329,000, to remain available until
9 September 30, 2012.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 NAVY AND MARINE CORPS

12 For expenses of family housing for the Navy and Ma-
13 rine Corps for operation and maintenance, including debt
14 payment, leasing, minor construction, principal and inter-
15 est charges, and insurance premiums, as authorized by
16 law, \$371,404,000.

17 FAMILY HOUSING CONSTRUCTION, AIR FORCE

18 For expenses of family housing for the Air Force for
19 construction, including acquisition, replacement, addition,
20 expansion, extension, and alteration, as authorized by law,
21 \$362,747,000, to remain available until September 30,
22 2012.

1 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
2 FORCE

3 For expenses of family housing for the Air Force for
4 operation and maintenance, including debt payment, leas-
5 ing, minor construction, principal and interest charges,
6 and insurance premiums, as authorized by law,
7 \$688,335,000.

8 FAMILY HOUSING OPERATION AND MAINTENANCE,
9 DEFENSE-WIDE

10 For expenses of family housing for the activities and
11 agencies of the Department of Defense (other than the
12 military departments) for operation and maintenance,
13 leasing, and minor construction, as authorized by law,
14 \$48,848,000.

15 DEPARTMENT OF DEFENSE FAMILY HOUSING
16 IMPROVEMENT FUND

17 For the Department of Defense Family Housing Im-
18 provement Fund, \$500,000, to remain available until ex-
19 pended, for family housing initiatives undertaken pursu-
20 ant to section 2883 of title 10, United States Code, pro-
21 viding alternative means of acquiring and improving mili-
22 tary family housing and supporting facilities.

1 CHEMICAL DEMILITARIZATION CONSTRUCTION,
2 DEFENSE-WIDE
3 (INCLUDING TRANSFER OF FUNDS)

4 For expenses of construction, not otherwise provided
5 for, necessary for the destruction of the United States
6 stockpile of lethal chemical agents and munitions in ac-
7 cordance with the provisions of section 1412 of the De-
8 partment of Defense Authorization Act, 1986 (50 U.S.C.
9 1521), and for the destruction of other chemical warfare
10 materials that are not in the chemical weapon stockpile,
11 as currently authorized by law, \$86,176,000, to remain
12 available until September 30, 2012: *Provided*, That such
13 amounts of this appropriation as may be determined by
14 the Secretary of Defense may be transferred to such ap-
15 propriations of the Department of Defense available for
16 military construction as the Secretary may designate, to
17 be merged with and to be available for the same purposes,
18 and for the same time period, as the appropriation to
19 which transferred.

20 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

21 1990

22 For deposit into the Department of Defense Base
23 Closure Account 1990, established by section 2906(a)(1)
24 of the Defense Base Closure and Realignment Act of 1990

1 (10 U.S.C. 2687 note), \$270,689,000, to remain available
2 until expended.

3 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT
4 2005

5 For deposit into the Department of Defense Base
6 Closure Account 2005, established by section 2906A(a)(1)
7 of the Defense Base Closure and Realignment Act of 1990
8 (10 U.S.C. 2687 note), \$8,174,315,000, to remain avail-
9 able until expended.

10 ADMINISTRATIVE PROVISIONS

11 SEC. 101. None of the funds made available in this
12 title shall be expended for payments under a cost-plus-a-
13 fixed-fee contract for construction, where cost estimates
14 exceed \$25,000, to be performed within the United States,
15 except Alaska, without the specific approval in writing of
16 the Secretary of Defense setting forth the reasons there-
17 for.

18 SEC. 102. Funds made available in this title for con-
19 struction shall be available for hire of passenger motor ve-
20 hicles.

21 SEC. 103. Funds made available in this title for con-
22 struction may be used for advances to the Federal High-
23 way Administration, Department of Transportation, for
24 the construction of access roads as authorized by section
25 210 of title 23, United States Code, when projects author-

1 ized therein are certified as important to the national de-
2 fense by the Secretary of Defense.

3 SEC. 104. None of the funds made available in this
4 title may be used to begin construction of new bases in
5 the United States for which specific appropriations have
6 not been made.

7 SEC. 105. None of the funds made available in this
8 title shall be used for purchase of land or land easements
9 in excess of 100 percent of the value as determined by
10 the Army Corps of Engineers or the Naval Facilities Engi-
11 neering Command, except: (1) where there is a determina-
12 tion of value by a Federal court; (2) purchases negotiated
13 by the Attorney General or the designee of the Attorney
14 General; (3) where the estimated value is less than
15 \$25,000; or (4) as otherwise determined by the Secretary
16 of Defense to be in the public interest.

17 SEC. 106. None of the funds made available in this
18 title shall be used to: (1) acquire land; (2) provide for site
19 preparation; or (3) install utilities for any family housing,
20 except housing for which funds have been made available
21 in annual Acts making appropriations for military con-
22 struction.

23 SEC. 107. None of the funds made available in this
24 title for minor construction may be used to transfer or
25 relocate any activity from one base or installation to an-

1 other, without prior notification to the Committees on Ap-
2 propriations of both Houses of Congress.

3 SEC. 108. None of the funds made available in this
4 title may be used for the procurement of steel for any con-
5 struction project or activity for which American steel pro-
6 ducers, fabricators, and manufacturers have been denied
7 the opportunity to compete for such steel procurement.

8 SEC. 109. None of the funds available to the Depart-
9 ment of Defense for military construction or family hous-
10 ing during the current fiscal year may be used to pay real
11 property taxes in any foreign nation.

12 SEC. 110. None of the funds made available in this
13 title may be used to initiate a new installation overseas
14 without prior notification to the Committees on Appro-
15 priations of both Houses of Congress.

16 SEC. 111. None of the funds made available in this
17 title may be obligated for architect and engineer contracts
18 estimated by the Government to exceed \$500,000 for
19 projects to be accomplished in Japan, in any North Atlan-
20 tic Treaty Organization member country, or in countries
21 bordering the Arabian Sea, unless such contracts are
22 awarded to United States firms or United States firms
23 in joint venture with host nation firms.

24 SEC. 112. None of the funds made available in this
25 title for military construction in the United States terri-

1 tories and possessions in the Pacific and on Kwajalein
2 Atoll, or in countries bordering the Arabian Sea, may be
3 used to award any contract estimated by the Government
4 to exceed \$1,000,000 to a foreign contractor: *Provided*,
5 That this section shall not be applicable to contract
6 awards for which the lowest responsive and responsible bid
7 of a United States contractor exceeds the lowest respon-
8 sive and responsible bid of a foreign contractor by greater
9 than 20 percent: *Provided further*, That this section shall
10 not apply to contract awards for military construction on
11 Kwajalein Atoll for which the lowest responsive and re-
12 sponsible bid is submitted by a Marshallese contractor.

13 SEC. 113. The Secretary of Defense is to inform the
14 appropriate committees of both Houses of Congress, in-
15 cluding the Committees on Appropriations, of the plans
16 and scope of any proposed military exercise involving
17 United States personnel 30 days prior to its occurring,
18 if amounts expended for construction, either temporary or
19 permanent, are anticipated to exceed \$100,000.

20 SEC. 114. Not more than 20 percent of the funds
21 made available in this title which are limited for obligation
22 during the current fiscal year shall be obligated during
23 the last two months of the fiscal year.

24 (INCLUDING TRANSFER OF FUNDS)

25 SEC. 115. Funds appropriated to the Department of
26 Defense for construction in prior years shall be available

1 for construction authorized for each such military depart-
2 ment by the authorizations enacted into law during the
3 current session of Congress.

4 SEC. 116. For military construction or family housing
5 projects that are being completed with funds otherwise ex-
6 pired or lapsed for obligation, expired or lapsed funds may
7 be used to pay the cost of associated supervision, inspec-
8 tion, overhead, engineering and design on those projects
9 and on subsequent claims, if any.

10 SEC. 117. Notwithstanding any other provision of
11 law, any funds made available to a military department
12 or defense agency for the construction of military projects
13 may be obligated for a military construction project or
14 contract, or for any portion of such a project or contract,
15 at any time before the end of the fourth fiscal year after
16 the fiscal year for which funds for such project were made
17 available, if the funds obligated for such project: (1) are
18 obligated from funds available for military construction
19 projects; and (2) do not exceed the amount appropriated
20 for such project, plus any amount by which the cost of
21 such project is increased pursuant to law.

22 SEC. 118. The Secretary of Defense is to provide the
23 Committees on Appropriations of both Houses of Congress
24 with an annual report by February 15, containing details
25 of the specific actions proposed to be taken by the Depart-

1 ment of Defense during the current fiscal year to encour-
2 age other member nations of the North Atlantic Treaty
3 Organization, Japan, Korea, and United States allies bor-
4 dering the Arabian Sea to assume a greater share of the
5 common defense burden of such nations and the United
6 States.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 119. In addition to any other transfer authority
9 available to the Department of Defense, proceeds depos-
10 ited to the Department of Defense Base Closure Account
11 established by section 207(a)(1) of the Defense Authoriza-
12 tion Amendments and Base Closure and Realignment Act
13 (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C)
14 of such Act, may be transferred to the account established
15 by section 2906(a)(1) of the Defense Base Closure and
16 Realignment Act of 1990 (10 U.S.C. 2687 note), to be
17 merged with, and to be available for the same purposes
18 and the same time period as that account.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 120. Subject to 30 days prior notification to the
21 Committees on Appropriations of both Houses of Con-
22 gress, such additional amounts as may be determined by
23 the Secretary of Defense may be transferred to: (1) the
24 Department of Defense Family Housing Improvement
25 Fund from amounts appropriated for construction in
26 “Family Housing” accounts, to be merged with and to be

1 available for the same purposes and for the same period
2 of time as amounts appropriated directly to the Fund; or
3 (2) the Department of Defense Military Unaccompanied
4 Housing Improvement Fund from amounts appropriated
5 for construction of military unaccompanied housing in
6 “Military Construction” accounts, to be merged with and
7 to be available for the same purposes and for the same
8 period of time as amounts appropriated directly to the
9 Fund: *Provided*, That appropriations made available to
10 the Funds shall be available to cover the costs, as defined
11 in section 502(5) of the Congressional Budget Act of
12 1974, of direct loans or loan guarantees issued by the De-
13 partment of Defense pursuant to the provisions of sub-
14 chapter IV of chapter 169 of title 10, United States Code,
15 pertaining to alternative means of acquiring and improv-
16 ing military family housing, military unaccompanied hous-
17 ing, and supporting facilities.

18 SEC. 121. None of the funds made available in this
19 title may be obligated for Partnership for Peace Programs
20 in the New Independent States of the former Soviet
21 Union.

22 SEC. 122. (a) Not later than 60 days before issuing
23 any solicitation for a contract with the private sector for
24 military family housing the Secretary of the military de-
25 partment concerned shall submit to the Committees on

1 Appropriations of both Houses of Congress the notice de-
2 scribed in subsection (b).

3 (b)(1) A notice referred to in subsection (a) is a no-
4 tice of any guarantee (including the making of mortgage
5 or rental payments) proposed to be made by the Secretary
6 to the private party under the contract involved in the
7 event of—

8 (A) the closure or realignment of the installa-
9 tion for which housing is provided under the con-
10 tract;

11 (B) a reduction in force of units stationed at
12 such installation; or

13 (C) the extended deployment overseas of units
14 stationed at such installation.

15 (2) Each notice under this subsection shall specify
16 the nature of the guarantee involved and assess the extent
17 and likelihood, if any, of the liability of the Federal Gov-
18 ernment with respect to the guarantee.

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 123. In addition to any other transfer authority
21 available to the Department of Defense, amounts may be
22 transferred from the accounts established by sections
23 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure
24 and Realignment Act of 1990 (10 U.S.C. 2687 note), to
25 the fund established by section 1013(d) of the Demonstra-
26 tion Cities and Metropolitan Development Act of 1966 (42

1 U.S.C. 3374) to pay for expenses associated with the
2 Homeowners Assistance Program. Any amounts trans-
3 ferred shall be merged with and be available for the same
4 purposes and for the same time period as the fund to
5 which transferred.

6 SEC. 124. Notwithstanding this or any other provi-
7 sion of law, funds made available in this title for operation
8 and maintenance of family housing shall be the exclusive
9 source of funds for repair and maintenance of all family
10 housing units, including general or flag officer quarters:
11 *Provided*, That not more than \$35,000 per unit may be
12 spent annually for the maintenance and repair of any gen-
13 eral or flag officer quarters without 30 days prior notifica-
14 tion to the Committees on Appropriations of both Houses
15 of Congress, except that an after-the-fact notification shall
16 be submitted if the limitation is exceeded solely due to
17 costs associated with environmental remediation that
18 could not be reasonably anticipated at the time of the
19 budget submission: *Provided further*, That the Under Sec-
20 retary of Defense (Comptroller) is to report annually to
21 the Committees on Appropriations of both Houses of Con-
22 gress all operation and maintenance expenditures for each
23 individual general or flag officer quarters for the prior fis-
24 cal year.

1 SEC. 125. Whenever the Secretary of Defense or any
2 other official of the Department of Defense is requested
3 by the subcommittee on Military Construction, Veterans
4 Affairs, and Related Agencies of the Committee on Appro-
5 priations of the House of Representatives or the sub-
6 committee on Military Construction, Veterans Affairs, and
7 Related Agencies of the Committee on Appropriations of
8 the Senate to respond to a question or inquiry submitted
9 by the chairman or another member of that subcommittee
10 pursuant to a subcommittee hearing or other activity, the
11 Secretary (or other official) shall respond to the request,
12 in writing, within 21 days of the date on which the request
13 is transmitted to the Secretary (or other official).

14 SEC. 126. Amounts contained in the Ford Island Im-
15 provement Account established by subsection (h) of sec-
16 tion 2814 of title 10, United States Code, are appro-
17 priated and shall be available until expended for the pur-
18 poses specified in subsection (i)(1) of such section or until
19 transferred pursuant to subsection (i)(3) of such section.

20 SEC. 127. None of the funds made available in this
21 title, or in any Act making appropriations for military con-
22 struction which remain available for obligation, may be ob-
23 ligated or expended to carry out a military construction,
24 land acquisition, or family housing project at or for a mili-
25 tary installation approved for closure, or at a military in-

1 stallation for the purposes of supporting a function that
2 has been approved for realignment to another installation,
3 in 2005 under the Defense Base Closure and Realignment
4 Act of 1990 (part A of title XXIX of Public Law 101–
5 510; 10 U.S.C. 2687 note), unless such a project at a mili-
6 tary installation approved for realignment will support a
7 continuing mission or function at that installation or a
8 new mission or function that is planned for that installa-
9 tion, or unless the Secretary of Defense certifies that the
10 cost to the United States of carrying out such project
11 would be less than the cost to the United States of cancel-
12 ling such project, or if the project is at an active compo-
13 nent base that shall be established as an enclave or in the
14 case of projects having multi-agency use, that another
15 Government agency has indicated it will assume ownership
16 of the completed project. The Secretary of Defense may
17 not transfer funds made available as a result of this limi-
18 tation from any military construction project, land acquisi-
19 tion, or family housing project to another account or use
20 such funds for another purpose or project without the
21 prior approval of the Committees on Appropriations of
22 both Houses of Congress. This section shall not apply to
23 military construction projects, land acquisition, or family
24 housing projects for which the project is vital to the na-
25 tional security or the protection of health, safety, or envi-

1 ronmental quality: *Provided*, That the Secretary of De-
2 fense shall notify the congressional defense committees
3 within seven days of a decision to carry out such a military
4 construction project.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 128. During the 5-year period after appropria-
7 tions available in this Act to the Department of Defense
8 for military construction and family housing operation and
9 maintenance and construction have expired for obligation,
10 upon a determination that such appropriations will not be
11 necessary for the liquidation of obligations or for making
12 authorized adjustments to such appropriations for obliga-
13 tions incurred during the period of availability of such ap-
14 propriations, unobligated balances of such appropriations
15 may be transferred into the appropriation “Foreign Cur-
16 rency Fluctuations, Construction, Defense”, to be merged
17 with and to be available for the same time period and for
18 the same purposes as the appropriation to which trans-
19 ferred.

20 SEC. 129. None of the funds in this title shall be used
21 for any activity related to the construction of an Outlying
22 Landing Field in Washington County, North Carolina.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)
6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$41,236,322,000, to remain available until expended: *Pro-*
22 *vided*, That not to exceed \$25,033,000 of the amount ap-
23 propriated under this heading shall be reimbursed to
24 "General operating expenses" and "Medical administra-
25 tion" for necessary expenses in implementing the provi-
26 sions of chapters 51, 53, and 55 of title 38, United States

1 Code, the funding source for which is specifically provided
2 as the “Compensation and pensions” appropriation: *Pro-*
3 *vided further*, That such sums as may be earned on an
4 actual qualifying patient basis, shall be reimbursed to
5 “Medical care collections fund” to augment the funding
6 of individual medical facilities for nursing home care pro-
7 vided to pensioners as authorized.

8 READJUSTMENT BENEFITS

9 For the payment of readjustment and rehabilitation
10 benefits to or on behalf of veterans as authorized by chap-
11 ters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61 of
12 title 38, United States Code, \$3,300,289,000, to remain
13 available until expended: *Provided*, That expenses for re-
14 habilitation program services and assistance which the
15 Secretary is authorized to provide under subsection (a) of
16 section 3104 of title 38, United States Code, other than
17 under paragraphs (1), (2), (5), and (11) of that sub-
18 section, shall be charged to this account.

19 VETERANS INSURANCE AND INDEMNITIES

20 For military and naval insurance, national service life
21 insurance, servicemen’s indemnities, service-disabled vet-
22 erans insurance, and veterans mortgage life insurance as
23 authorized by title 38, United States Code, chapters 19
24 and 21, \$41,250,000, to remain available until expended.

1 VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM
2 ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of direct and guaranteed loans, such
5 sums as may be necessary to carry out the program, as
6 authorized by subchapters I through III of chapter 37 of
7 title 38, United States Code: *Provided*, That such costs,
8 including the cost of modifying such loans, shall be as de-
9 fined in section 502 of the Congressional Budget Act of
10 1974: *Provided further*, That during fiscal year 2008,
11 within the resources available, not to exceed \$500,000 in
12 gross obligations for direct loans are authorized for spe-
13 cially adapted housing loans.

14 In addition, for administrative expenses to carry out
15 the direct and guaranteed loan programs, \$154,562,000,
16 which may be transferred to and merged with the appro-
17 priation for “General operating expenses”.

18 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT
19 (INCLUDING TRANSFER OF FUNDS)

20 For the cost of direct loans, \$71,000, as authorized
21 by chapter 31 of title 38, United States Code: *Provided*,
22 That such costs, including the cost of modifying such
23 loans, shall be as defined in section 502 of the Congres-
24 sional Budget Act of 1974: *Provided further*, That funds
25 made available under this heading are available to sub-

1 sidize gross obligations for the principal amount of direct
 2 loans not to exceed \$3,287,000.

3 In addition, for administrative expenses necessary to
 4 carry out the direct loan program, \$311,000, which may
 5 be transferred to and merged with the appropriation for
 6 “General operating expenses”.

7 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

8 ACCOUNT

9 (INCLUDING TRANSFER OF FUNDS)

10 For administrative expenses to carry out the direct
 11 loan program authorized by subchapter V of chapter 37
 12 of title 38, United States Code, \$628,000, which may be
 13 transferred to and merged with the appropriation for
 14 “General operating expenses”: *Provided*, That no new
 15 loans in excess of \$30,000,000 may be made in fiscal year
 16 2008.

17 GUARANTEED TRANSITIONAL HOUSING LOANS FOR

18 HOMELESS VETERANS PROGRAM ACCOUNT

19 For the administrative expenses to carry out the
 20 guaranteed transitional housing loan program authorized
 21 by subchapter VI of chapter 37 of title 38, United States
 22 Code, not to exceed \$750,000 of the amounts appropriated
 23 by this Act for “General operating expenses” and “Med-
 24 ical administration” may be expended.

1 VETERANS HEALTH ADMINISTRATION

2 MEDICAL SERVICES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for furnishing, as authorized
5 by law, inpatient and outpatient care and treatment to
6 beneficiaries of the Department of Veterans Affairs and
7 veterans described in section 1705(a) of title 38, United
8 States Code, including care and treatment in facilities not
9 under the jurisdiction of the Department, and including
10 medical supplies and equipment, food services, and sala-
11 ries and expenses of health-care employees hired under
12 title 38, United States Code, and aid to State homes as
13 authorized by section 1741 of title 38, United States Code;
14 \$28,906,400,000 (increased by \$125,000,000), plus reim-
15 bursements, of which not less than \$2,900,000,000 shall
16 be expended for specialty mental health care; not less than
17 \$130,000,000 shall be expended for the homeless grants
18 and per diem program; not less than \$428,873,754 shall
19 be expended for the substance abuse program; and not less
20 than \$100,275,000 shall be expended for blind rehabilita-
21 tion services: *Provided*, That of the funds made available
22 under this heading, not to exceed \$1,100,000,000 shall be
23 available until September 30, 2009: *Provided further*,
24 That, notwithstanding any other provision of law, the Sec-
25 retary of Veterans Affairs shall establish a priority for the
26 provision of medical treatment for veterans who have serv-

1 ice-connected disabilities, lower income, or have special
2 needs: *Provided further*, That, notwithstanding any other
3 provision of law, the Secretary of Veterans Affairs shall
4 give priority funding for the provision of basic medical
5 benefits to veterans in enrollment priority groups 1
6 through 6: *Provided further*, That, notwithstanding any
7 other provision of law, the Secretary of Veterans Affairs
8 may authorize the dispensing of prescription drugs from
9 Veterans Health Administration facilities to enrolled vet-
10 erans with privately written prescriptions based on re-
11 quirements established by the Secretary: *Provided further*,
12 That the implementation of the program described in the
13 previous proviso shall incur no additional cost to the De-
14 partment of Veterans Affairs: *Provided further*, That for
15 the DOD–VA Health Care Sharing Incentive Fund, as au-
16 thorized by section 8111(d) of title 38, United States
17 Code, a minimum of \$15,000,000, to remain available
18 until expended, for any purpose authorized by section
19 8111 of title 38, United States Code.

20 MEDICAL ADMINISTRATION

21 For necessary expenses in the administration of the
22 medical, hospital, nursing home, domiciliary, construction,
23 supply, and research activities, as authorized by law; ad-
24 ministrative expenses in support of capital policy activi-
25 ties; and administrative and legal expenses of the Depart-
26 ment for collecting and recovering amounts owed the De-

1 partment as authorized under chapter 17 of title 38,
2 United States Code, and the Federal Medical Care Recov-
3 ery Act (42 U.S.C. 2651 et seq.); \$3,635,600,000 (in-
4 creased by \$5,000,000) (reduced by \$5,000,000) (reduced
5 by \$125,000,000), plus reimbursements, of which
6 \$250,000,000 shall be available until September 30, 2009.

7 MEDICAL FACILITIES

8 For necessary expenses for the maintenance and op-
9 eration of hospitals, nursing homes, and domiciliary facili-
10 ties, and other necessary facilities of the Veterans Health
11 Administration; for administrative expenses in support of
12 planning, design, project management, real property ac-
13 quisition and disposition, construction, and renovation of
14 any facility under the jurisdiction or for the use of the
15 Department; for oversight, engineering, and architectural
16 activities not charged to project costs; for repairing, alter-
17 ing, improving, or providing facilities in the several hos-
18 pitals and homes under the jurisdiction of the Depart-
19 ment, not otherwise provided for, either by contract or by
20 the hire of temporary employees and purchase of mate-
21 rials; for leases of facilities; and for laundry services,
22 \$4,100,000,000, plus reimbursements, of which
23 \$250,000,000 shall be available until September 30, 2009:
24 *Provided*, That \$300,000,000 for non-recurring mainte-
25 nance provided under this heading shall be allocated in

1 a manner not subject to the Veterans Equitable Resource
2 Allocation.

3 MEDICAL AND PROSTHETIC RESEARCH

4 For necessary expenses in carrying out programs of
5 medical and prosthetic research and development as au-
6 thorized by chapter 73 of title 38, United States Code,
7 \$480,000,000, plus reimbursements, to remain available
8 until September 30, 2009.

9 DEPARTMENTAL ADMINISTRATION

10 GENERAL OPERATING EXPENSES

11 For necessary operating expenses of the Department
12 of Veterans Affairs, not otherwise provided for, including
13 administrative expenses in support of Department-Wide
14 capital planning, management and policy activities, uni-
15 forms, or allowances therefor; not to exceed \$25,000 for
16 official reception and representation expenses; hire of pas-
17 senger motor vehicles; and reimbursement of the General
18 Services Administration for security guard services and
19 the Department of Defense for the cost of overseas em-
20 ployee mail, \$1,598,500,000: *Provided*, That expenses for
21 services and assistance authorized under paragraphs (1),
22 (2), (5), and (11) of section 3104(a) of title 38, United
23 States Code, that the Secretary of Veterans Affairs deter-
24 mines are necessary to enable entitled veterans: (1) to the
25 maximum extent feasible, to become employable and to ob-
26 tain and maintain suitable employment; or (2) to achieve

1 maximum independence in daily living, shall be charged
2 to this account: *Provided further*, That the Veterans Bene-
3 fits Administration shall be funded at not less than
4 \$1,324,957,000: *Provided further*, That of the funds made
5 available under this heading, not to exceed \$75,000,000
6 shall be available for obligation until September 30, 2009:
7 *Provided further*, That from the funds made available
8 under this heading, the Veterans Benefits Administration
9 may purchase (on a one-for-one replacement basis only)
10 up to two passenger motor vehicles for use in operations
11 of that Administration in Manila, Philippines: *Provided*
12 *further*, That of the funds made available under this head-
13 ing, \$2,000,000 is for the Advisory Committee on Women
14 Veterans under section 542 of title 38, United States
15 Code.

16 INFORMATION TECHNOLOGY SYSTEMS

17 For necessary expenses for information technology
18 systems and telecommunications support, including devel-
19 opmental information systems and operational information
20 systems and pay and associated cost for operations and
21 maintenance associated staff; for the capital asset acquisi-
22 tion of information technology systems, including manage-
23 ment and related contractual costs of said acquisitions, in-
24 cluding contractual costs associated with operations au-
25 thorized by chapter 3109 of title 5, United States Code,
26 \$1,859,217,000, to remain available until September 30,

1 2009: *Provided*, That none of these funds may be obli-
2 gated until the Secretary of Veterans Affairs submits to
3 the Committees on Appropriations of both Houses of Con-
4 gress, and such Committees approve, a plan for expendi-
5 ture that: (1) meets the capital planning and investment
6 control review requirements established by the Office of
7 Management and Budget; (2) complies with the Depart-
8 ment of Veterans Affairs enterprise architecture; (3) con-
9 forms with an established enterprise life cycle method-
10 ology; and (4) complies with the acquisition rules, require-
11 ments, guidelines, and systems acquisition management
12 practices of the Federal Government: *Provided further*,
13 That within 30 days of the date of the enactment of this
14 Act, the Secretary of Veterans Affairs shall submit to the
15 Committees on Appropriations of both Houses of Congress
16 a reprogramming base letter which provides, by project,
17 the costs included in this appropriation.

18 NATIONAL CEMETERY ADMINISTRATION

19 For necessary expenses of the National Cemetery Ad-
20 ministration for operations and maintenance, not other-
21 wise provided for, including uniforms or allowances there-
22 for; cemeterial expenses as authorized by law; purchase
23 of one passenger motor vehicle for use in cemeterial oper-
24 ations; and hire of passenger motor vehicles,
25 \$170,000,000, of which not to exceed \$7,800,000 shall be
26 available until September 30, 2009.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978 (5 U.S.C. App.), \$76,500,000, of
5 which \$3,630,000 shall remain available until September
6 30, 2009.

7 CONSTRUCTION, MAJOR PROJECTS

8 For constructing, altering, extending, and improving
9 any of the facilities, including parking projects, under the
10 jurisdiction or for the use of the Department of Veterans
11 Affairs, or for any of the purposes set forth in sections
12 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,
13 and 8122 of title 38, United States Code, including plan-
14 ning, architectural and engineering services, construction
15 management services, maintenance or guarantee period
16 services costs associated with equipment guarantees pro-
17 vided under the project, services of claims analysts, offsite
18 utility and storm drainage system construction costs, and
19 site acquisition, where the estimated cost of a project is
20 more than the amount set forth in section 8104(a)(3)(A)
21 of title 38, United States Code, or where funds for a
22 project were made available in a previous major project
23 appropriation, \$1,410,800,000, to remain available until
24 expended, of which \$2,000,000 shall be to make reim-
25 bursements as provided in section 13 of the Contract Dis-
26 putes Act of 1978 (41 U.S.C. 612) for claims paid for

1 contract disputes: *Provided*, That except for advance plan-
2 ning activities, including needs assessments which may or
3 may not lead to capital investments, and other capital
4 asset management related activities, including portfolio
5 development and management activities, and investment
6 strategy studies funded through the advance planning
7 fund and the planning and design activities funded
8 through the design fund, including needs assessments
9 which may or may not lead to capital investments, none
10 of the funds appropriated under this heading shall be used
11 for any project which has not been approved by the Con-
12 gress in the budgetary process: *Provided further*, That
13 funds provided in this appropriation for fiscal year 2008,
14 for each approved project shall be obligated: (1) by the
15 awarding of a construction documents contract by Sep-
16 tember 30, 2008; and (2) by the awarding of a construc-
17 tion contract by September 30, 2009: *Provided further*,
18 That the Secretary of Veterans Affairs shall promptly sub-
19 mit to the Committees on Appropriations of both Houses
20 of Congress a written report on any approved major con-
21 struction project for which obligations are not incurred
22 within the time limitations established above: *Provided*
23 *further*, That none of the funds appropriated in this or
24 any other Act may be used to reduce the mission, services,
25 or infrastructure, including land, of the 18 facilities on

1 the Capital Asset Realignment for Enhanced Services
2 (CARES) list requiring further study, as specified by the
3 Secretary of Veterans Affairs, without prior approval of
4 the Committees on Appropriations of both Houses of Con-
5 gress.

6 CONSTRUCTION, MINOR PROJECTS

7 For constructing, altering, extending, and improving
8 any of the facilities, including parking projects, under the
9 jurisdiction or for the use of the Department of Veterans
10 Affairs, including planning and assessments of needs
11 which may lead to capital investments, architectural and
12 engineering services, maintenance or guarantee period
13 services costs associated with equipment guarantees pro-
14 vided under the project, services of claims analysts, offsite
15 utility and storm drainage system construction costs, and
16 site acquisition, or for any of the purposes set forth in
17 sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109,
18 8110, 8122, and 8162 of title 38, United States Code,
19 where the estimated cost of a project is equal to or less
20 than the amount set forth in section 8104(a)(3)(A) of title
21 38, United States Code, \$615,000,000, to remain avail-
22 able until expended, along with unobligated balances of
23 previous “Construction, minor projects” appropriations
24 which are hereby made available for any project where the
25 estimated cost is equal to or less than the amount set forth
26 in such section: *Provided*, That funds in this account shall

1 be available for: (1) repairs to any of the nonmedical facili-
2 ties under the jurisdiction or for the use of the Depart-
3 ment which are necessary because of loss or damage
4 caused by any natural disaster or catastrophe; and (2)
5 temporary measures necessary to prevent or to minimize
6 further loss by such causes: *Provided further*, That within
7 30 days of enactment of this Act, the Secretary of Vet-
8 erans Affairs shall submit to the Committees on Appro-
9 priations of both Houses of Congress a reprogramming
10 base letter which provides, by project, the costs included
11 in this appropriation.

12 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
13 FACILITIES

14 For grants to assist States to acquire or construct
15 State nursing home and domiciliary facilities and to re-
16 model, modify, or alter existing hospital, nursing home,
17 and domiciliary facilities in State homes, for furnishing
18 care to veterans as authorized by sections 8131 through
19 8137 of title 38, United States Code, \$165,000,000, to
20 remain available until expended.

21 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS
22 CEMETERIES

23 For grants to assist States in establishing, expand-
24 ing, or improving State veterans cemeteries as authorized
25 by section 2408 of title 38, United States Code,
26 \$37,000,000, to remain available until expended.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 201. Any appropriation for fiscal year 2008 for
4 “Compensation and pensions”, “Readjustment benefits”,
5 and “Veterans insurance and indemnities” may be trans-
6 ferred as necessary to any other of the mentioned appro-
7 priations: *Provided*, That before a transfer may take place,
8 the Secretary of Veterans Affairs shall request from the
9 Committees on Appropriations of both Houses of Congress
10 the authority to make the transfer and such Committees
11 issue an approval, or absent a response, a period of 30
12 days has elapsed.

13 SEC. 202. Appropriations available in this title for
14 salaries and expenses shall be available for services au-
15 thorized by section 3109 of title 5, United States Code,
16 hire of passenger motor vehicles; lease of a facility or land
17 or both; and uniforms or allowances therefore, as author-
18 ized by sections 5901 through 5902 of title 5, United
19 States Code.

20 SEC. 203. No appropriations in this title (except the
21 appropriations for “Construction, major projects”, and
22 “Construction, minor projects”) shall be available for the
23 purchase of any site for or toward the construction of any
24 new hospital or home.

1 SEC. 204. No appropriations in this title shall be
2 available for hospitalization or examination of any persons
3 (except beneficiaries entitled to such hospitalization or ex-
4 amination under the laws providing such benefits to vet-
5 erans, and persons receiving such treatment under sec-
6 tions 7901 through 7904 of title 5, United States Code,
7 or the Robert T. Stafford Disaster Relief and Emergency
8 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
9 bursement of the cost of such hospitalization or examina-
10 tion is made to the “Medical services” account at such
11 rates as may be fixed by the Secretary of Veterans Affairs.

12 SEC. 205. Appropriations available in this title for
13 “Compensation and pensions”, “Readjustment benefits”,
14 and “Veterans insurance and indemnities” shall be avail-
15 able for payment of prior year accrued obligations re-
16 quired to be recorded by law against the corresponding
17 prior year accounts within the last quarter of fiscal year
18 2007.

19 SEC. 206. Appropriations available in this title shall
20 be available to pay prior year obligations of corresponding
21 prior year appropriations accounts resulting from sections
22 3328(a), 3334, and 3712(a) of title 31, United States
23 Code, except that if such obligations are from trust fund
24 accounts they shall be payable only from “Compensation
25 and pensions”.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 207. Notwithstanding any other provision of
3 law, during fiscal year 2008, the Secretary of Veterans
4 Affairs shall, from the National Service Life Insurance
5 Fund (38 U.S.C. 1920), the Veterans' Special Life Insur-
6 ance Fund (38 U.S.C. 1923), and the United States Gov-
7 ernment Life Insurance Fund (38 U.S.C. 1955), reim-
8 burse the "General operating expenses" account for the
9 cost of administration of the insurance programs financed
10 through those accounts: *Provided*, That reimbursement
11 shall be made only from the surplus earnings accumulated
12 in such an insurance program during fiscal year 2008 that
13 are available for dividends in that program after claims
14 have been paid and actuarially determined reserves have
15 been set aside: *Provided further*, That if the cost of admin-
16 istration of such an insurance program exceeds the
17 amount of surplus earnings accumulated in that program,
18 reimbursement shall be made only to the extent of such
19 surplus earnings: *Provided further*, That the Secretary
20 shall determine the cost of administration for fiscal year
21 2008 which is properly allocable to the provision of each
22 such insurance program and to the provision of any total
23 disability income insurance included in that insurance pro-
24 gram.

1 SEC. 208. Amounts deducted from enhanced-use
2 lease proceeds to reimburse an account for expenses in-
3 curred by that account during a prior fiscal year for pro-
4 viding enhanced-use lease services, may be obligated dur-
5 ing the fiscal year in which the proceeds are received.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 209. Funds available in this title or funds for
8 salaries and other administrative expenses shall also be
9 available to reimburse the Office of Resolution Manage-
10 ment of the Department of Veterans Affairs and the Of-
11 fice of Employment Discrimination Complaint Adjudica-
12 tion under section 319 of title 38, United States Code,
13 for all services provided at rates which will recover actual
14 costs but not exceed \$32,067,000 for the Office of Resolu-
15 tion Management and \$3,148,000 for the Office of Em-
16 ployment and Discrimination Complaint Adjudication:
17 *Provided*, That payments may be made in advance for
18 services to be furnished based on estimated costs: *Provided*
19 *further*, That amounts received shall be credited to “Gen-
20 eral operating expenses” for use by the office that pro-
21 vided the service.

22 SEC. 210. No appropriations in this title shall be
23 available to enter into any new lease of real property if
24 the estimated annual rental is more than \$300,000 unless
25 the Secretary submits a report which the Committees on

1 Appropriations of both Houses of Congress approve within
2 30 days following the date on which the report is received.

3 SEC. 211. No funds of the Department of Veterans
4 Affairs shall be available for hospital care, nursing home
5 care, or medical services provided to any person under
6 chapter 17 of title 38, United States Code, for a non-serv-
7 ice-connected disability described in section 1729(a)(2) of
8 such title, unless that person has disclosed to the Sec-
9 retary of Veterans Affairs, in such form as the Secretary
10 may require, current, accurate third-party reimbursement
11 information for purposes of section 1729 of such title: *Pro-*
12 *vided*, That the Secretary may recover, in the same man-
13 ner as any other debt due the United States, the reason-
14 able charges for such care or services from any person who
15 does not make such disclosure as required: *Provided fur-*
16 *ther*, That any amounts so recovered for care or services
17 provided in a prior fiscal year may be obligated by the
18 Secretary during the fiscal year in which amounts are re-
19 ceived.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 212. Notwithstanding any other provision of
22 law, at the discretion of the Secretary of Veterans Affairs,
23 proceeds or revenues derived from enhanced-use leasing
24 activities (including disposal) may be deposited into the
25 “Construction, major projects” and “Construction, minor
26 projects” accounts and be used for construction (including

1 site acquisition and disposition), alterations, and improve-
2 ments of any medical facility under the jurisdiction or for
3 the use of the Department of Veterans Affairs. Such sums
4 as realized are in addition to the amount provided for in
5 “Construction, major projects” and “Construction, minor
6 projects”.

7 SEC. 213. Amounts made available under “Medical
8 services” are available—

9 (1) for furnishing recreational facilities, sup-
10 plies, and equipment; and

11 (2) for funeral expenses, burial expenses, and
12 other expenses incidental to funerals and burials for
13 beneficiaries receiving care in the Department.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 214. Such sums as may be deposited to the
16 Medical Care Collections Fund pursuant to section 1729A
17 of title 38, United States Code, may be transferred to
18 “Medical services”, to remain available until expended for
19 the purposes of that account.

20 SEC. 215. Notwithstanding any other provision of
21 law, the Secretary of Veterans Affairs shall allow veterans
22 who are eligible under existing Department of Veterans
23 Affairs medical care requirements and who reside in Alas-
24 ka to obtain medical care services from medical facilities
25 supported by the Indian Health Service or tribal organiza-
26 tions. The Secretary shall: (1) limit the application of this

1 provision to rural Alaskan veterans in areas where an ex-
2 isting Department of Veterans Affairs facility or Veterans
3 Affairs-contracted service is unavailable; (2) require par-
4 ticipating veterans and facilities to comply with all appro-
5 priate rules and regulations, as established by the Sec-
6 retary; (3) require this provision to be consistent with
7 Capital Asset Realignment for Enhanced Services activi-
8 ties; and (4) result in no additional cost to the Department
9 of Veterans Affairs or the Indian Health Service.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 216. Such sums as may be deposited to the De-
12 partment of Veterans Affairs Capital Asset Fund pursu-
13 ant to section 8118 of title 38, United States Code, may
14 be transferred to the “Construction, major projects” and
15 “Construction, minor projects” accounts, to remain avail-
16 able until expended for the purposes of these accounts.

17 SEC. 217. None of the funds available to the Depart-
18 ment of Veterans Affairs, in this or any other Act, may
19 be used to replace the current system by which the Vet-
20 erans Integrated Service Networks select and contract for
21 diabetes monitoring supplies and equipment.

22 SEC. 218. None of the funds made available in this
23 Act may be used to implement any policy prohibiting the
24 Directors of the Veterans Integrated Service Networks
25 from conducting outreach or marketing to enroll new vet-
26 erans within their respective Networks.

1 SEC. 219. The Secretary of Veterans Affairs shall
2 submit to the Committees on Appropriations of both
3 Houses of Congress a quarterly report on the financial
4 status of the Veterans Health Administration.

5 SEC. 220. Amounts made available for the “Informa-
6 tion technology systems” account may be reprogrammed
7 between projects: *Provided*, That no project may be in-
8 creased or decreased by more than \$1,000,000 of cost be-
9 fore the Secretary submits to the Committees on Appro-
10 priations of both Houses of Congress a reprogramming re-
11 quest and the Committees issue an approval, or absent
12 a response, a period of 30 days has elapsed.

13 (INCLUDING TRANSFER OF FUNDS)

14 SEC. 221. Any balances in prior year accounts estab-
15 lished for the payment of benefits under the Reinstated
16 Entitlement Program for Survivors shall be transferred to
17 and merged with amounts available under the “Compensa-
18 tion and pensions” account, and receipts that would other-
19 wise be credited to the accounts established for the pay-
20 ment of benefits under the Reinstated Entitlement Pro-
21 gram for Survivors program shall be credited to amounts
22 available under the “Compensation and pensions” ac-
23 count.

24 SEC. 222. Amounts made available for the “Con-
25 struction, minor projects” account may be reprogrammed
26 between projects: *Provided*, That no project may be in-

1 creased or decreased by more than \$1,000,000 of cost be-
2 fore the Secretary submits to the Committees on Appro-
3 priations of both Houses of Congress a reprogramming re-
4 quest and the Committees issue an approval, or absent
5 a response, a period of 30 days has elapsed.

6 TITLE III

7 RELATED AGENCIES

8 AMERICAN BATTLE MONUMENTS COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses, not otherwise provided for,
11 of the American Battle Monuments Commission, including
12 the acquisition of land or interest in land in foreign coun-
13 tries; purchases and repair of uniforms for caretakers of
14 national cemeteries and monuments outside of the United
15 States and its territories and possessions; rent of office
16 and garage space in foreign countries; purchase (one-for-
17 one replacement basis only) and hire of passenger motor
18 vehicles; not to exceed \$7,500 for official reception and
19 representation expenses; and insurance of official motor
20 vehicles in foreign countries, when required by law of such
21 countries, \$43,470,000, to remain available until ex-
22 pended.

23 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

24 For necessary expenses, not otherwise provided for,
25 of the American Battle Monuments Commission,
26 \$11,000,000, to remain available until expended, for pur-

1 poses authorized by section 2109 of title 36, United States
2 Code.

3 UNITED STATES COURT OF APPEALS FOR VETERANS
4 CLAIMS

5 SALARIES AND EXPENSES

6 For necessary expenses for the operation of the
7 United States Court of Appeals for Veterans Claims as
8 authorized by sections 7251 through 7298 of title 38,
9 United States Code, \$21,397,000, of which \$1,300,000
10 shall be available for the purpose of providing financial
11 assistance as described, and in accordance with the proc-
12 ess and reporting procedures set forth, under this heading
13 in Public Law 102–229.

14 DEPARTMENT OF DEFENSE—CIVIL
15 CEMETERIAL EXPENSES, ARMY

16 SALARIES AND EXPENSES

17 For necessary expenses, as authorized by law, for
18 maintenance, operation, and improvement of Arlington
19 National Cemetery and Soldiers’ and Airmen’s Home Na-
20 tional Cemetery, including the purchase of two passenger
21 motor vehicles for replacement only, and not to exceed
22 \$1,000 for official reception and representation expenses,
23 \$30,592,000, to remain available until expended. In addi-
24 tion, such sums as may be necessary for parking mainte-
25 nance, repairs and replacement, to be derived from the

1 Lease of Department of Defense Real Property for De-
2 fense Agencies account.

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia and
8 the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$55,724,000.

11 ARMED FORCES RETIREMENT HOME

12 FEDERAL FUND PAYMENT

13 For payment to the “Armed Forces Retirement
14 Home”, \$800,000, to remain available until expended.

15 TITLE IV

16 GENERAL PROVISIONS

17 SEC. 401. No part of any appropriation contained in
18 this Act shall remain available for obligation beyond the
19 current fiscal year unless expressly so provided herein.

20 SEC. 402. Such sums as may be necessary for fiscal
21 year 2008 pay raises for programs funded by this Act shall
22 be absorbed within the levels appropriated in this Act.

23 SEC. 403. None of the funds made available in this
24 Act may be used for any program, project, or activity,
25 when it is made known to the Federal entity or official

1 to which the funds are made available that the program,
2 project, or activity is not in compliance with any Federal
3 law relating to risk assessment, the protection of private
4 property rights, or unfunded mandates.

5 SEC. 404. No part of any funds appropriated in this
6 Act shall be used by an agency of the executive branch,
7 other than for normal and recognized executive-legislative
8 relationships, for publicity or propaganda purposes, and
9 for the preparation, distribution or use of any kit, pam-
10 phlet, booklet, publication, radio, television, or film presen-
11 tation designed to support or defeat legislation pending
12 before Congress, except in presentation to Congress itself.

13 SEC. 405. All departments and agencies funded under
14 this Act are directed, within the limits of the existing stat-
15 utory authorities and funding, to expand their use of “E-
16 Commerce” technologies and procedures in the conduct of
17 their business practices and public service activities.

18 SEC. 406. None of the funds made available in this
19 Act may be transferred to any department, agency, or in-
20 strumentality of the United States Government except
21 pursuant to a transfer made by, or transfer authority pro-
22 vided in, this or any other appropriations Act.

23 SEC. 407. Unless stated otherwise, all reports and no-
24 tifications required by this Act shall be submitted to the
25 Subcommittee on Military Construction, Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the House of Representatives and the Subcommittee on
3 Military Construction, Veterans Affairs, and Related
4 Agencies of the Committee on Appropriations of the Sen-
5 ate.

6 SEC. 408. The Director of the Congressional Budget
7 Office shall, not later than February 1, 2008, submit to
8 the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate a report projecting annual ap-
10 propriations necessary for the Department of Veterans Af-
11 fairs to continue providing necessary health care to vet-
12 erans for fiscal years 2009 through 2012.

13 SEC. 409. None of the funds made available in this
14 Act may be used to purchase light bulbs unless the light
15 bulbs have the “ENERGY STAR” designation.

16 SEC. 410. None of the funds appropriated or other-
17 wise made available in this Act may be used for any action
18 that is related to or promotes the expansion of the bound-
19 aries or size of the Pinon Canyon Maneuver Site in south-
20 eastern Colorado.

1 This Act may be cited as the “Military Construction
2 and Veterans Affairs Appropriations Act, 2008”.

Passed the House of Representatives June 15, 2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 2642

AN ACT

Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.